

Robert J. Higgins, Esq. (RH-6477)  
 Judith R. Cohen, Esq. (JC-8614)  
 DICKSTEIN SHAPIRO LLP  
 1177 Avenue of the Americas  
 New York, NY 10036-2714  
 (212) 277-6500

Attorneys for Defendant Merrill Lynch & Co., Inc.

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

|  |             |   |                             |
|--|-------------|---|-----------------------------|
| -----X                                   |             | : |                             |
| IN RE WORLD TRADE CENTER LOWER           |             | : | 21 MC 102 (AKH)             |
| MANHATTAN DISASTER SITE LITIGATION       |             | : |                             |
|  |             | : |                             |
|  |             | : |                             |
|  |             | : |                             |
|  |             | : |                             |
|  |             | : |                             |
| -----X                                   |             | : |                             |
| MANUEL LITUMA,                           |             | : | 07-CV-01649-AKH             |
|  |             | : |                             |
|  | Plaintiff,  | : | <b>NOTICE OF ADOPTION</b>   |
|  |             | : | <b>OF ANSWER</b>            |
| - against -                              |             | : | <b>TO MASTER COMPLAINT</b>  |
|  |             | : | <b>BY MERRILL LYNCH</b>     |
| ALAN KASMAN D/B/A KASCO, <i>et al.</i> , |             | : |                             |
|  |             | : | <b>ELECTRONICALLY FILED</b> |
|  | Defendants. | : |                             |
| -----X                                   |             | : |                             |

PLEASE TAKE NOTICE THAT Defendant Merrill Lynch & Co., Inc. (“Merrill Lynch”), as and for its responses to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) Related to the Master Complaint filed in the above-referenced action, hereby adopts Merrill Lynch’s Answer to Master Complaint, dated August 3, 2007, which was filed in the matter of *In re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

WHEREFORE, Merrill Lynch demands judgment dismissing the above-captioned action as against it, together with its costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York  
January 18, 2008

DICKSTEIN SHAPIRO LLP

By: /s/ Judith R. Cohen

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Robert J. Higgins (RH-6477)  
Judith R. Cohen (JC-8614)  
1177 Avenue of the Americas  
New York, New York 10036  
Phone: (212) 277-6500  
Fax: (212) 277-6501

*Attorneys for Defendant*  
MERRILL LYNCH & CO., INC.